

1 CHASSMAN & SEELIG, LLP  
2 MARK B. CHASSMAN (SBN 119619)  
3 RHONDA E. KALEY (SBN 138546)  
4 350 South Figueroa Street  
5 Suite 580  
Los Angeles, CA 90071  
Telephone: (213) 626-6700  
Facsimile: (213) 626-5111  
6  
7 Attorneys for Defendant  
8 M. Rothman & Co., Inc.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 CREDITORS ADJUSTMENT ) Case No: C08-01431 MMC  
12 BUREAU, INC., ) Assigned to: Hon. Maxine M. Chesney  
13 Plaintiff, ) Dept. 7  
14 vs. )  
15 M. ROTHMAN & CO., INC., )  
16 Defendant. )  
17 )  
18 )  
19 )  
----- )  
DEFENDANT'S REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT  
OF MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM ON  
WHICH RELIEF MAY BE  
GRANTED (FRCP 12(b)(6); OR, IN  
THE ALTERNATIVE, AND  
SUBJECT TO THE COURT'S  
DISCRETION, TO TRANSFER  
PLAINTIFF'S CASE TO NEW  
JERSEY DISTRICT COURT  
UNDER 28 U.S.C. § 1404

DATE: May 30, 2008  
TIME: 9:00 a.m.  
DEPT: 7

TRIAL DATE: Not Set

27 | //

1 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS  
2 OF RECORD:

3 Pursuant to Federal Rules of Evidence, Rule 201(b) and (d), defendant M.  
4 Rothman & Co., Inc. respectfully requests that the Court take judicial notice of the  
5 attached documents in support of its motion for an order dismissing plaintiff's  
6 complaint or, in the alternative, transferring the action to the United States District  
7 Court in New Jersey.

8

9 1. Summons and Complaint in the matter of Creditor's *Adjustment*  
10 *Bureau, Inc. v. M. Rothman & Co., Inc.*, originally filed in the Alameda County  
11 Superior Court on February 4, 2008 and removed to this Court on March 13, 2008.

12 2. Complaint in the matter of *M. Rothman & Co., Inc. v. Hannspree*  
13 *North America, Inc.*, New Jersey Superior Court Case No. L-9289-07, filed on  
14 December 19, 2007.

15 3. Summons in the matter of *M. Rothman & Co., Inc. v. Hannspree*  
16 *North America, Inc.*, New Jersey Superior Court Case No. L-9289-07.

17 4. Proof of Service in the matter of *M. Rothman & Co., Inc. v.*  
18 *Hannspree North America, Inc.*, New Jersey Superior Court Case No. L-9289-07.

19 5. Request to Enter Default in the matter of *M. Rothman & Co., Inc. v.*  
20 *Hannspree North America, Inc.*, New Jersey Superior Court Case No. L-9289-07  
21 and Entry of Default on February 25, 2008.

22 6. Certification of Proof of Larry Francis In Support of Application for  
23 Default Judgment filed on April 1, 2008 in the matter of *M. Rothman & Co., Inc. v.*  
24 *Hannspree North America, Inc.*, New Jersey Superior Court Case No. L-9289-07.

25 7. Final Judgment on Default filed April 1, 2008 in the matter of *M.*  
26 *Rothman & Co., Inc. v. Hannspree North America, Inc.*, New Jersey Superior  
27 Court Case No. L-9289-07.

1       8.     Certificate of Status of Foreign Corporation and related information  
2 from California Secretary of State's website.

3

4

5     DATED: April 18, 2008

Respectfully submitted,

CHASSMAN & SEELIG, LLP

6

7

By:   
RHONDA E. KALEY  
Attorneys for Defendant  
Mr. Rothman & Co., Inc.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

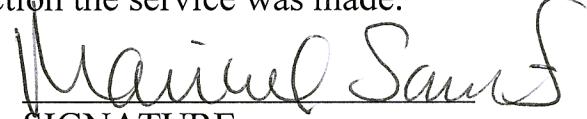
24

25

26

27

28

1 PROOF OF SERVICE  
23 STATE OF CALIFORNIA )  
4 COUNTY OF LOS ANGELES )  
56 I am employed in the County of Los Angeles, State of California. I am over  
7 the age of 18 years and not a party to the within action. My business address is:  
8 350 South Figueroa Street, Suite 580, Los Angeles, California 90071-1102.  
910 On April 21, 2008, I served the foregoing document described as  
11 **DEFENDANT'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF  
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM ON WHICH  
RELIEF MAY BE GRANTED (FRCP 12(b)(6); OR, IN THE  
ALTERNATIVE, AND SUBJECT TO THE COURT'S DISCRETION, TO  
TRANSFER PLAINTIFF'S CASE TO NEW JERSEY DISTRICT COURT  
UNDER 28 U.S.C. § 1404** on the interested parties in this action by placing a true  
12 copy thereof enclosed in a sealed, prepaid envelope addressed as follows:  
1314 Kenneth J. Freed, Esq.  
15 Law Offices of Kenneth J. Freed  
16 14226 Ventura Boulevard  
17 P.O. Box 5914  
18 Sherman Oaks, CA 91413  
1920 X (BY MAIL) I caused such envelope to be deposited in the mail at Los  
21 Angeles, California. I am "readily familiar" with this firm's practice of  
22 collection and processing correspondence for mailing. It is deposited with  
23 the U.S. postal service on that same day in the ordinary course of business. I  
24 am aware that on motion of a party served, service is presumed invalid if the  
25 postal cancellation date or postage meter date is more than 1 day after the  
26 date of deposit for mailing in affidavit.  
2728 — (BY PERSONAL SERVICE) I delivered such envelope by hand to  
the offices of the addressee.  
2930 Executed on April 21, 2008 at Los Angeles, California.  
3132 X (FEDERAL) I declare that I am employed in the office of a member  
33 of the bar of this court at whose direction the service was made.  
3435 MARIBEL SANTOS  
36 NAME37   
38 SIGNATURE